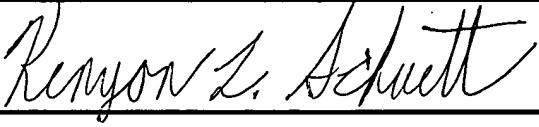


**Application No. 10/024,010
312 Amendment dated May 26, 2004
Reply to Notice of Allowance dated April 28, 2004**

REMARKS

The specification has been amended to include the ATCC deposit information. A receipt from ATCC is attached. Claims 1, 9 and 43 have been amended to state the ATCC accession number. No new matter is included in these amendments.

Applicant respectfully requests entry of the foregoing amendments to the specification and claims.

RESPECTFULLY SUBMITTED,					
NAME AND REG. NUMBER	Kenyon L. Schuett, Reg. No. 44,324				
SIGNATURE			DATE	May 26, 2004	
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Date: May 25, 2004

To: Robert J. Jondle
Fax Number: 303-799-6444

From: ATCC Patent Depository **Number of pages:** 1 (Including this page)

REFERENCE: Patent Deposit (Ref: Docket or Case No.: 1429-001)

Description: Corn zea mays: HC53 assigned PTA-5969.

Date of Deposit: May 14, 2004

The ATCC Certificate of Deposit will be forwarded to you within 30 days. An invoice will be sent under separate cover referencing check #005690 as follows:

Total Fees for PTA-5969	\$ 2,500.00
(Storage/informing/viability testing)	

Marie Harris

Marie Harris, Patent Specialist

ATCC Patent Depository

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